



Milpitas Police Department

Controlled Equipment Annual Report

January 1, 2022 to December 31, 2022



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Executive Summary

On September 30, 2021, California Governor Gavin Newsom approved Assembly Bill 481 requiring California law enforcement agencies to obtain approval of a Military Equipment Use Policy by their applicable governing body (City Council) prior to taking certain actions related to the funding, acquisition, or use of controlled equipment.

Assembly Bill 481 allows the governing body to approve the funding, acquisition, and use of controlled equipment ("Military Equipment") within its jurisdiction if the equipment meets specified standards. The Controlled Equipment Use Policy and an Annual Controlled Equipment Use Report is subject to annual review to affirm the criteria outlined in Assembly Bill 481 have been met.

Assembly Bill 481 requires the publication of the Controlled Equipment Use Policy and a Controlled Equipment Use Report on the Department's website annually and at least thirty (30) days prior to a mandated publicly available meeting.

California Government Code section 7072 requires an annual report within a year of the policy approval and annually after that for as long as the controlled equipment is in use. The Annual report must contain the following information:

- (1) A summary of how the equipment was used and the purpose of its use.
- (2) A summary of any complaints or concerns from members of the public about the equipment.
- (3) The results of an internal audit, including any information about violations of the equipment use policy, and any actions taken in response.
- (4) The total annual cost for each type of equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing expenses; and from what source funds will be provided for the controlled equipment in the calendar year following submission of the annual report.
- (5) The quantity possessed for each type of controlled equipment.
- (6) If the law enforcement agency intends to acquire additional controlled equipment in the next year, and the quantity sought for each type of qualifying equipment.





The Police Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the public may discuss and ask questions regarding the annual report, the law enforcement agency's funding, acquisition, and/or the use of the controlled equipment.

The Milpitas Police Department recognizes the public's ongoing interest in how controlled equipment is used to protect our community and is committed to maintaining our community's trust in providing professional and responsive police services. As such, the Milpitas Police Department has authored the following comprehensive Annual Controlled Equipment Use Report to remain transparent with our community and in accordance with annual reporting requirements set forth by applicable California Law.





Introduction

The Milpitas Police Department is committed to the protection of lives and property by working with our community and providing professional and responsive police services. To accomplish our mission effectively and safely, the Milpitas Police Department possesses and utilizes certain specialized equipment (controlled equipment) to safeguard the citizens of Milpitas and protect our first responders. While our inventory of controlled equipment varies, the mere possession of this equipment does not warrant its use. The merits and a totality of the circumstances of each unique incident are considered before controlled equipment is utilized in compliance with department policy and law.

The term “military equipment,” as used in Assembly Bill 481, does not necessarily indicate the equipment is, or has been used, by the military. Many items defined as “military equipment” by the bill are more often used by law enforcement to preserve life and enhance public and officer safety while remaining prepared to handle the various lethal and non-lethal challenges facing our communities. The Milpitas Police Department’s use of controlled equipment is consistent with overall best practices employed by police departments throughout the country.

Items used by the Milpitas Police Department that are considered controlled equipment under Assembly Bill 481 include, but are not limited to, emergency response equipment such as command vehicles and armored rescue vehicles, less lethal shotguns, less-lethal 40mm projectile launchers, precision weapons such as rifles, unmanned aircraft systems, and other select items. The continued access to, and use of, this equipment is vital in ensuring our officers have the appropriate tools necessary to de-escalate situations, preserve life, ensure safety for all people, and protect civil liberties.

This Annual Controlled Equipment Use Report outlines a summary of the equipment usage guidelines, inventory, fiscal impact, complaints, and reported community concerns for calendar year 2022 (January 1, 2022, through December 31, 2022).





Summary of Controlled Equipment Usages

The Milpitas Police Department provides law enforcement services twenty-four hours a day, seven days a week, serving a city population of over 80,000. The daytime population of Milpitas increases to over 130,000 people. The Department is committed to de-escalating situations, and using force is reserved for instances where less intrusive options are not feasible. In 2022, the Milpitas Police Department responded to approximately 83,000 calls for service. Of those calls for service, officers used force on only five (5) occasions, representing .006% of the total calls for service. Officers did not utilize controlled equipment in any of the cases involving the use of force.

Police events and critical incidents are unpredictable and often very dynamic. The availability and use of specific equipment are necessary for incident commanders, officers, and specialized units to resolve incidents safely and effectively. It is incumbent upon incident commanders, supervisors, individual officers, and specialized teams to recognize the circumstances wherein specialized equipment should be deployed and to utilize the equipment within the confines of department policy and State law. Each use of controlled equipment is reviewed to ensure it was used properly and justly based on the totality of the circumstances, public safety, officer safety, civil rights, State law, and information available at the time of use.





Current Inventory of Controlled Equipment

The Milpitas Police Department is committed to remaining transparent about the Department's controlled equipment inventory and the sharing of the equipment's capabilities, uses, and other related information with our community and elected officials. The data provided in this report is accurate as of January 2023 however, inventory may have fluctuated by the time of this report's publication.

The inventory of controlled equipment, particularly consumable material (ammunition, diversionary devices, munitions, etc.) may fluctuate due to a variety of factors including but not limited to operational usage, operational deterioration, training, maintenance, expiration and replenishment guidelines.

The following is a list of the various types, descriptions, and guidelines for usage of controlled equipment currently employed by the Department:

(***NOTE:** The descriptions and source photos contained in this report are for controlled equipment descriptive purposes only and are not an endorsement by the City of Milpitas or the Milpitas Police Department of a product or vendor.)





Controlled Equipment Categories

Assembly Bill 481 created Government Code 7070 which designated 15 categories of items deemed “military” or more accurately defined as controlled equipment:

*	Category 1:	Unmanned, remotely piloted, powered aerial or ground vehicles
*	Category 2:	Mine-resistant ambush-protected vehicles or armored personnel carriers
*	Category 3:	High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached
	Category 4:	Tracked armored vehicles that provide ballistic protection to their occupants
*	Category 5:	Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units
	Category 6:	Weaponized aircraft, vessels, or vehicles of any kind
*	Category 7:	Battering rams, slugs, and breaching apparatuses that are explosive in nature
	Category 8:	Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition
*	Category 9:	Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code §30515, with the exception of standard-issue handguns
*	Category 10:	Any firearm or firearm accessory that is designed to launch explosive projectiles
*	Category 11:	Noise-flash diversionary devices and explosive breaching tools
*	Category 12:	Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray
	Category 13:	TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices
*	Category 14:	Kinetic energy weapons and munitions
	Category 15:	Any other equipment as determined by a governing body or a state agency to require additional oversight

* Indicates a category of controlled equipment previously approved by the governing body and utilized by the Milpitas Police Department.





Unmanned Aerial Systems (UAS) (Category 1)

An unmanned aerial system of any type that can sustain direct flight, whether remotely controlled or via pre-programming, and all the attached systems are designed for gathering information via photography, recording, or any other means.

Capability: The Milpitas Police Department uses UAS of varying sizes and capabilities to enhance public safety. The UAS can be deployed when an overhead view would assist officers or incident commanders with planning and responding to a situation. Types of situations include but are not limited to, infrastructure damage assessments, major traffic collision investigations, search for missing persons, natural disaster management, crime scene photography, SWAT, tactical or other public safety and life-preservation missions, and/or in response to specific requests from local, State, or Federal fire authorities for fire response and/or prevention. All UAS used by the Department is used in compliance with all federal, state, and local laws.

Usage: Use is established under Milpitas Policy Manual Section 456 and FAA Regulation 14 CFR Part 107. It is the policy of the Milpitas Police Department to utilize UAS only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law. UAS usages include collection of evidence in the form of aerial photography/video in support of an investigation (i.e., shooting scenes, homicide scenes); support of SWAT and Patrol during high-risk, tactical, or other public safety life preservation missions (i.e., interior visual assessments of structures or outdoor areas to gain intelligence prior to officers entering a dwelling or contacting a potentially armed or a resistive subject that may be hiding); to conduct aerial searches for missing persons; and provide aerial observation to assist in managing natural disasters (i.e., fires, floods, storms) or in any other manner to preserve life and enhance public safety.

Training Requirements: All Department UAS operators are licensed by the Federal Aviation Administration for UAS operation. Although not required by POST or the FAA, officers attend a 20-hour internal training course. Course topics include nomenclature, proper and safe flying techniques, privacy concerns, laws, and review of the Department's UAS policy.





The Department currently utilizes the following UAS:

DJI Mavic Mini

Cost	\$500 each
Quantity	2
Lifespan	3-5 Years
Funding Source	Grant Funding



Manufacturer: DJI

Manufacturer Description: Miniature UAS that weighs approximately 249 grams and is able to record video and audio with approximately 30 minutes of flight time. This is a remotely operated battery-powered aircraft designed to be operated within sight of the operator or a spotter. Each aircraft is equipped with a camera capable of relaying a real-time image back to the operator.

DJI Mavic Enterprise Duals

Cost	\$3,500 each
Quantity	4
Lifespan	3-5 Years
Funding Source	Grant Funding



Manufacturer: DJI

Manufacturer Description: UAS that has a color and inferred camera as well as audible speaker and light. Capable of video recording and weighs 899 grams, approx. 30 minutes of flight time. This is a remotely operated battery-powered aircraft designed to be operated within sight of the operator or a spotter. Each aircraft is equipped with a camera capable of relaying a real-time image back to the operator.



**DJI Matrice 210 V2**

Cost	\$10,410
Quantity	1
Lifespan	3-5 Years
Funding Source	Grant Funding

**Manufacturer:** DJI

Manufacturer Description: UAS that has a color and inferred camera as well as audible speaker and light. Capable of video recording and weighs 899 grams, approx. 30 minutes of flight time. This is a remotely operated battery-powered aircraft designed to be operated within sight of the operator or a spotter. Each aircraft is equipped with a camera capable of relaying a real-time image back to the operator.

DJI Matrice 300 RTK

Cost	\$11,349
Quantity	1
Lifespan	3-5 Years
Funding Source	Grant Funding

**Manufacturer:** DJI

Manufacturer Description: UAS that is foul weather capable and has dual gimbal, has an IR camera, zoom camera and light. Has video recording capabilities and is approx. 14 pounds. Has 55 minutes of flight time. This is a remotely operated battery-powered aircraft designed to be operated within sight of the operator or a spotter. Each aircraft is equipped with a camera capable of relaying a real-time image back to the operator.





Autel Robotics EVO II Dual 640 - Refurbished

Cost	\$0
Quantity	1
Lifespan	3-5 Years
Funding Source	N/A



Manufacturer: Autel Robotics

Manufacturer Description: The EVO II Dual has about 32-34 minutes of flight time per battery. The Orange color of the Dual is great for functionality and ease of operation and is easier to see in the sky. This is a remotely operated battery-powered aircraft designed to be operated within sight of the operator or a spotter. Each aircraft is equipped with a camera capable of relaying a real-time image back to the operator.





Robots (Category 1)

A machine that is capable of being controlled remotely and can be deployed in-lieu of a human to gather visual and auditory intelligence, as well as conduct limited physical manipulation of items.

Capability: Robots can be used to reduce risk to human life in dangerous or potentially volatile situations. They are also used in tactical support of special operations and can be used to acquire visual/audio intelligence, deliver de-escalation tools such as a Crisis Negotiation Team phone, open doors, and clear buildings without risk to human life.

Usage: It is the policy of the Milpitas Police Department to utilize a robot only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law. Use is authorized by the Division Captain or designee.

Training Requirements: Only assigned operators who have completed the in-house required training shall be permitted to operate the robots. Training topics include nomenclature, operation techniques, and practical exercises.





The Department currently utilizes the following Robots:

Robotex Avatar II

Cost	\$19,406
Quantity	1
Lifespan	8-10 Years
Funding Source	Grant Funding



Manufacturer: Robotex

Manufacturer Description: The AVATAR II enables law enforcement to remotely inspect dangerous situations and gather video and audio intelligence, including direct-to-unit video and audio recording, a touchscreen display, increased durability, and secure Wi-Fi networking. With these capabilities' officers will be better equipped to remotely gather intelligence and keep themselves and their teams safe from harm.

ICOR Mini Caliber

Cost	\$48,500
Quantity	1
Lifespan	8-10 Years
Funding Source	General Funds



Manufacturer: ICOR

Manufacturer Description: The Mini Caliber is a lightweight, modular portable robot designed for rapid deployment, it is simple to operate and quick to deploy for searching rooms, hallways, stairwells, and confined spaces. It also includes an extendible rotating claw arm that simplifies opening door handles, providing protection and safety to their operators.



Armored Vehicle (Categories 2 & 3)

Commercially produced 4-wheel drive vehicle designed for law enforcement that provides protection against bullets, shell fragments, and other projectiles.

Capability: The Medevac is primarily used by the Special Weapons and Tactics Team (SWAT) to safely transport personnel to and from critical incidents, extract citizens from volatile situations, high-risk rescue operations, training, provide emergency medical staff and/or Tactical Emergency Medicine (TEM) personnel a safe working environment, and to delivering equipment in high-risk environments. The Medevac can also be used to conduct rescue missions during disasters. Additionally, the vehicle is utilized for community engagement efforts and other applications deemed appropriate.

Usage: Use is established under Milpitas Policy Manual Section 707. It is the policy of the Department to utilize the armored vehicle only for official law enforcement purposes, and pursuant to State and Federal law.

Training Requirements: All drivers/operators shall attend formalized instruction and be trained in vehicle operations and practical driving techniques. POST certified driving instructors provide training consisting of safe driving practices and proper operation of the vehicle's equipment.





The Department currently utilizes the following Armored Vehicle:

2018 Lenco Bearcat MEDEVAC, G2

Cost	\$388,800
Quantity	1
Lifespan	25 Years
Funding Source	Capital Improvement



Manufacturer: Lenco

Manufacturer Description: The Lenco BearCat Medevac, also known as the MedCat, was designed to meet the combined requirements of SWAT & Tactical Emergency Medical Service Teams. The Medevac can be used as an armored Response & Rescue SWAT truck for dangerous callouts and is equipped to provide Tactical EMS with a safe & effective environment to deal with trauma cases. It seats 10-12 personnel with open floor plan that allows for rescue of down personnel. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor.





Mobile Incident Command Vehicle (Category 5)

A completely self-contained command post designed to provide shelter, access to department computers, and restroom facilities for extended events. This vehicle can also be used to manage/facilitate pre-planned or significant events, which require on-site planning and incident command personnel.

Capability: As a mobile base of operation, this vehicle contains specialized command, control, and communications equipment that can be used during critical incidents, large events, natural disasters, and community events. The replacement command vehicle (anticipated delivery December 2023) will be equipped to function as a fully operational mobile Public Safety Answering Point (PSAP) and will serve as a backup to the existing Dispatch Center in the Police Department.

Usage: The command vehicle shall be used by trained personnel in a manner consistent with Department policy and training. Furthermore, only personnel who have completed the Departmental Training and who are properly licensed will be allowed to drive the command vehicle.

Training Requirements: All drivers/operators shall attend formalized instruction and be trained in vehicle operations and practical driving techniques. POST certified driving instructors provide training consisting of safe driving practices and proper operation of the vehicle's equipment.





The Department currently operates the following MIC's:

Mobile Incident Command Vehicle

Cost	\$133,166
Quantity	1
Lifespan	Expired
Funding Source	Unknown



Manufacturer: Winnebago

Manufacturer Description: 1998 Winnebago Adventurer (custom built) vehicle The MIC can also be utilized for SWAT/HNT and other critical incidents, preplanned large events, searching for missing persons, natural disasters, and community events. This vehicle is scheduled to be decommissioned and replaced in December of 2023.

Cost	\$1,250,000
Quantity	1
Lifespan	25 Years (Chassis) 6 Years (IT Systems)
Funding Source	Capital Improvement

No image
available

Manufacturer: LDV, Inc.

Manufacturer Description: The Mobile Emergency Operations Center (MEOC) will be a fully functioning Mobile Public Safety Answering Point (PSAP) and serve as a backup to our existing Dispatch Center. The MEOC will also be a shared asset used by the Police and Fire Departments during critical incidents, preplanned large events, searching for missing persons, natural disasters, and community events. This vehicle is under construction and delivery is expected in December of 2023.





40 MM Less-Lethal Launchers and Munitions (Categories 10, 12, & 14)

A single-shot impact launcher capable of firing an array of less-lethal 40mm rounds.

Capability: De-escalate situations using less-lethal force and gain compliance from a safe distance. 40MM Less-Lethal Launchers have an effect range of up to 20 yards.

Usage: The 40mm less-lethal launcher may be deployed to gain compliance or de-escalate conflicts to help prevent a situation from becoming a lethal force situation. The system's effectiveness provides time and distance between officers and a suspect, reducing the immediacy of the threat and allows opportunity for further de-escalation. This system can be used to address self-destructive/suicidal, dangerous, and/or combative individuals; to gain a tactical advantage from a distance (i.e., breaking a window to get an unobstructed view of an individual or disabling a security camera); against potentially vicious animals; and for riot/crowd control and/or civil unrest incidents where the use of the 40mm is objectively reasonable.

Training Requirements: Sworn members utilizing 40MM less-lethal chemical agents or impact rounds are trained in their use by POST-Certified less-lethal chemical agent's instructors. Training includes a review of the Departments Use of Force Policy, nomenclature, familiarization of the system and a qualification course.





The Department utilizes the following 40 MM Less-Lethal Launcher and Munitions:

Defense Technologies 40 MM Single Shot Launcher #1425

Cost	\$810 each
Quantity	6
Lifespan	25 Years
Funding Source	General Funds



Manufacturer: Defense Technology

Manufacturer Description: The 40MM Single Launcher is a tactical single-shot launcher that features an adjustable Integrated Front Grip (IFG) with a rail-mounted holographic sight. It will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. It will launch a 40MM less lethal round up to 131 feet and is only authorized to be used by trained personnel.

The Department currently possesses the following 40mm munitions:

Defense Technology 40mm Exact Impact Sponge Round #6325

Cost	\$18 each
Quantity	6 of 20
Lifespan	5 Years
Funding Source	General Funds



Manufacturer: Defense Technology

Manufacturer Description: A less-lethal 40mm lightweight plastic and foam projectile fired from a single or multi-round purpose built 40mm launcher with a rifled barrel at 325 FPS. The 30-gram foam projectile delivers 120 ft/lbs. of energy on impact. The 40mm Exact Impact Sponge Round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 131 feet from the target.



**Defense Technology 40MM Direct Impact Marking Round #6326**

Cost	\$30 each
Quantity	7 of 7
Lifespan	5 Years
Funding Source	General Funds



Manufacturer: Defense Technology

Manufacturer Description: A less-lethal 40MM lightweight plastic and crushable foam projectile fired from a single or multi-round purpose-built 40mm launcher with a rifled barrel at 295 FPS. The green foam nose indicates that the round contains a marking agent.

Defense Technology 40MM Direct Impact Reloadable Training Kit #6530

Cost	\$1300 each
Quantity	1
Lifespan	No Expiration
Funding Source	General Funds



Manufacturer: Defense Technology

Manufacturer Description: The 250-piece Direct Impact Reloadable Training Kit allows realistic training to be conducted at a fraction of the cost of using operational rounds. These reusable projectiles can be reloaded by hand in the field in less than 10 seconds without the need for presses or other reloading equipment. These rounds are not for use on humans.



**Defense Technology Spede-Heat 40MM Long Range, CS, Round #6182**

Cost	\$30 each
Quantity	40 of 40
Lifespan	5 Years
Funding Source	General Funds



Manufacturer: Defense Technology

Manufacturer Description: The SPEDE-HEAT CS Long-Range Munitions delivers one chemical canister of CS agent from a 40 mm launcher down range up to 150 yards. The Spede-Heat is a pyrotechnic round designed specifically for outdoor use in riot situations with a high-volume continuous burn that expels its payload in approximately 20-40 seconds from a single source. The Spede-Heat family may be used to conceal tactical movement.

Defense Technology Ferret 40MM Powder Barricade Round CS #2292

Cost	\$30 each
Quantity	1 of 25
Lifespan	5 Years
Funding Source	General Funds



Manufacturer: Defense Technology

Manufacturer Description: A less lethal 40MM round used to penetrate barriers, such as windows, hollow core doors, wallboard, and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle. In a tactical deployment situation, the 40mm Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects.



**Defense Technology Ferret 40MM Powder Barricade Training Round Inert #2293**

Cost	\$23 each
Quantity	10 of 10
Lifespan	5 Years
Funding Source	General Funds

Manufacturer: Defense Technology



Manufacturer Description: An inert training less-lethal 40MM round used to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers an inert payload inside of a structure or vehicle. The 40mm inert Ferret round is primarily used to train personnel in the proper use of its deployment.

Defense Technology Ferret 40MM Liquid Barricade Training Round Inert #2263

Cost	\$23 each
Quantity	2 of 10
Lifespan	5 Years
Funding Source	General Funds

Manufacturer: Defense Technology



Manufacturer Description: A less-lethal 40mm lightweight plastic and foam projectile fired from a single or multi-round purpose-built 40mm launcher with a rifled barrel at 325 FPS. The 30-gram foam projectile delivers 120 ft/lbs. of energy on impact. The 40mm Exact Impact Sponge Round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 131 feet from the target.





Combined Systems Inc. 40MM Sponge, Smokeless Spin Stabilized Round #4577

Cost	\$30 each
Quantity	261 of 600
Lifespan	5 Years
Funding Source	General Funds

Manufacturer: Combined Systems Inc.



Manufacturer Description: A spin-stabilized projectile delivering blunt trauma effect. Although it is extremely accurate and consistent, accuracy is dependent on the launcher. Effectiveness depends on many variables, such as distance, clothing, stature, and the point where the projectile impacts. Its purpose is to minimize the risks to all parties through pain compliance and/or incapacitation of potentially violent or dangerous subjects.





Less-Lethal Shotgun and Munitions (Categories 9 & 14)

The less-lethal shotgun is a standard Remington Model 870, 12-gauge shotgun that has been converted to fire bean bag rounds as an alternative to lethal force when appropriate. The less-lethal shotgun has a distinctive, orange-colored stock and foregrip to distinguish it from lethal weapons.

Capability: The less-lethal shotgun can fire a 12-gauge Super-Sock Bean Bag Round with a maximum effective range of seventy-five (75) feet. The range of the weapon system helps to maintain space between officers and a suspect reducing the immediacy of the threat, which is a principle of de-escalation.

Usage: The less-lethal shotguns can be deployed to de-escalate conflict and reduce the need for lethal force. The system's effective allows time and distance between officers and a suspect, reducing the immediacy of the threat and allows opportunity for further de-escalation. This system can be used to address self-destructive/suicidal, dangerous, and/or combative individuals, to gain a tactical advantage from a distance (i.e., breaking a window to get an unobstructed view of an individual or disabling a security camera), against potentially vicious animals, riot/crowd control and/or civil unrest incidents where the use of the 40mm is objectively reasonable.

Training Requirements: All officers must successfully complete a minimum of two hours of department training before they can deploy the less lethal shotgun. Training includes a review of the Departments Use of Force Policy, nomenclature, familiarization of the system, and a qualification course.





The Department possesses the following Less Lethal Shotguns and Munitions:

Remington 870 Less Lethal 12 Gauge Shotgun

Cost	\$946 each
Quantity	35
Lifespan	25 Years
Funding Source	General Funds



Manufacturer: Remington

Manufacturer Description: The Remington 870 Less Lethal Shotgun is used to deploy the less lethal 12-gauge Super-Sock Beanbag Round up to a distance of 75 feet. The range of the weapon system helps to maintain space between officers and a suspect reducing the immediacy of the threat which is a principle of De-escalation.

Combined Systems Inc. Super-Sock Bean Bag Round #2581

Cost	\$32/ Box
Quantity	100 of 150 Boxes
Lifespan	No Expiration
Funding Source	General Funds



Manufacturer: Combined Systems Inc.

Manufacturer Description: A less lethal 2.4-inch 12-gauge shotgun round firing a ballistic fiber bag filled with 40 grams of lead shot at a velocity of 270-290 feet per second (FPS). CTS Super-Sock rounds are discharged from a dedicated 12-gauge shotgun that is distinguishable by an orange butt stock and fore grip. This round provides accurate and effective performance when fired from the approved distance of not fewer than five (5) feet. The maximum effective range of this munition is up to 75 feet from the target.





Diversiónary Devices (Category 11)

A handheld device that can be deployed to emit a flash, sound, and/or smoke.

Capability: To produce atmospheric overpressure and brilliant white light that can cause short-term (6 to 8 seconds) physiological/psychological, sensory deprivation to give officers a tactical advantage. A diversionary device is ideal for distracting dangerous suspects during apprehensions, hostage rescues, room entry, or other high-risk arrest situations.

Usage: Diversionary devices shall only be used by officers who have been trained in the proper use. These devices can be deployed in hostage and barricaded subject situations; in high-risk (search/arrest) warrant services where there may be hazards to officers; during other high-risk situations where the use would be advantageous in preserving life and/or increase officer safety; and during training exercises.

Training Requirements: Prior to using this equipment, officers must attend diversionary device training. Training is provided by POST certified instructors in the safe handling, deployment, and documentation of the use of this equipment.

Note: Some orders of Diversionary Devices can only be ordered in minimum quantities. As a result, some inventories may occasionally exceed needed amounts.





The Department currently possesses the following Diversionary Devices:

Combined Tactical Systems Inc. #7290-2 Noise Flash Device

Cost	\$52 each
Quantity	17 of 24
Lifespan	No Expiration
Funding Source	General Funds



Manufacturer: Combined Systems Inc.

Manufacturer Description: A non-bursting, non-fragmenting multi-bang device that produces a thunderous bang with an intensely bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry, or other high-risk arrest situations.

Combined Tactical Systems Inc. #7290-9 Noise Flash Device Multi Burst

Cost	\$60 each
Quantity	6 of 6
Lifespan	No Expiration
Funding Source	General Funds



Manufacturer: Combined Systems Inc.

Manufacturer Description: A multi-bang, non-bursting, non-fragmenting multi-bang device that produces a thunderous bang with an intensely bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry, or other high-risk arrest situations.





Defense Technology #8902 Noise Flash Device Low Role

Cost	\$55 each
Quantity	3 of 24
Lifespan	No Expiration
Funding Source	General Funds



Manufacturer: Defense Technology

Manufacturer Description: A non-bursting, limited movement and rolling, non-fragmenting device that produces a thunderous bang with an intensely bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry, or other high-risk arrest situations.





Rifles and Munitions (Category 9)

The rifle is a long-barreled firearm designed for greater accuracy over a long distance.

Capability: The rifle provides officers the ability to engage hostile suspects from distances far greater than their handguns. The standard issued rifles can have an effective range of 600 yards and offer increased accuracy over a handgun. However, rifles are not appropriate for every situation.

Usage: Officers may deploy the rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the rifle may include, but are not limited to, the following:

- a) Situations where the officer reasonably anticipates an armed encounter.
- b) When an officer is faced with a situation that may require the delivery of accurate and effective shot placement at long range.
- c) Situations where an officer reasonably expects the need to meet or exceed a suspect's weaponry.
- d) When an officer reasonably believes there may be a need to deliver accurate shot placement on a barricaded suspect or a suspect with a hostage.
- e) When an officer reasonably believes a suspect may be wearing body armor.
- f) When needed to euthanize an animal.

Training Requirements: Prior to deploying a rifle, officers must successfully complete a 16-hour POST approved training course. The course is taught by POST certified instructors. Officers are required to pass a qualification course annually.





The Department currently possesses the following rifles:

Colt Tactical Carbine Model AR-15A3

Cost	\$800 each
Quantity	100
Lifespan	No Expiration
Funding Source	General Funds



Manufacturer: Colt

Manufacturer Description: A rifle that fires an intermediate-power cartridge (.223) which is more powerful than a standard pistol but less powerful than a standard rifle. Rifle and has a 16" barrel. The magazine holds 30 rounds of ammunition, and the rifle has a collapsible stock. The carbine provides officers the ability to engage hostile suspects at distances generally greater than the effective distance of their handguns. Additionally, AR-15 rifles offer advantages over handguns, such as increased accuracy potential and the ability to defeat soft body armor but are not appropriate for every situation.

Colt Tactical Carbine Model M16

Cost	\$800 each
Quantity	4
Lifespan	No Expiration
Funding Source	General Funds



Manufacturer: Colt

Manufacturer Description: A rifle that fires an intermediate-power cartridge (.223) which is more powerful than a standard pistol but less powerful than a standard rifle. Rifle and has a 16" barrel. The magazine holds 30 rounds of ammunition, and the rifle has a collapsible stock. The carbine provides officers the ability to engage hostile suspects at distances generally greater than the effective distance of their handguns. Additionally, AR-15 rifles offer advantages over handguns, such as increased accuracy potential and the ability to defeat soft body armor but are not appropriate for every situation.



**Sionics Weapons Systems Model Short Barrel Rifle (SBR) LE**

Cost	\$1500 each
Quantity	7
Lifespan	No Expiration
Funding Source	General Funds



Manufacturer: Sionics Weapons Systems

Manufacturer Description: A rifle that fires an intermediate-power cartridge (.223) which is more powerful than a standard pistol but less powerful than a standard rifle. Rifle and has a 16" barrel. The magazine holds 30 rounds of ammunition, and the rifle has a collapsible stock. The carbine provides officers the ability to engage hostile suspects at distances generally greater than the effective distance of their handguns. Additionally, AR-15 rifles offer advantages over handguns, such as increased accuracy potential and the ability to defeat soft body armor but are not appropriate for every situation.

Heckler and Koch Model MP5A3

Cost	\$1000 each
Quantity	7
Lifespan	No Expiration
Funding Source	General Funds



Manufacturer: Heckler and Koch

Manufacturer Description: A submachine gun chambered in 9mm it is universally applicable making it useable in all areas and under all conditions. The magazine holds 30 rounds of ammunition and allows officers the ability to engage hostile suspects at distances generally greater than the effective distance of their handguns. Used by the Special Weapons and Tactics Team.



**Remington Model 700 P Bolt Action Rifle**

Cost	\$0 each
Quantity	3
Lifespan	No Expiration
Funding Source	Donation

**Manufacturer:** Remington

Manufacturer Description: A semi-automatic shoulder-fired rifle with precision optics that fires a .308 Winchester cartridge. The .308 rifle provides SWAT Snipers the ability to engage hostile suspects at great distances with accuracy. The .308 rifles are used exclusively by officers assigned to the SWAT Sniper Team. These rifles are typically deployed with the SWAT Sniper Team during high-risk SWAT operations and special events or instances wherein Sniper Over Watch Teams are needed.

Remington Model 700 SPS Bolt Action Rifle

Cost	\$0 each
Quantity	1
Lifespan	No Expiration
Funding Source	Personal Rifle

**Manufacturer:** Remington

Manufacturer Description: A semi-automatic shoulder-fired rifle with precision optics that fires a .308 Winchester cartridge. The .308 rifle provides SWAT Snipers the ability to engage hostile suspects at great distances with accuracy. The .308 rifles are used exclusively by officers assigned to the SWAT Sniper Team. These rifles are typically deployed with the SWAT Sniper Team during high-risk SWAT operations and special events or instances wherein Sniper Over Watch Teams are needed.



**Remington Model 700 PSS Bolt Action Rifle**

Cost	\$0 each
Quantity	1
Lifespan	No Expiration
Funding Source	Personal Rifle



Manufacturer: Remington

Manufacturer Description: A semi-automatic shoulder-fired rifle with precision optics that fires a .308 Winchester cartridge. The .308 rifle provides SWAT Snipers the ability to engage hostile suspects at great distances with accuracy. The .308 rifles are used exclusively by officers assigned to the SWAT Sniper Team. These rifles are typically deployed with the SWAT Sniper Team during high-risk SWAT operations and special events or instances wherein Sniper Over Watch Teams are needed.

Ruger Precision Rifle Model 18028 Bolt Action Rifle

Cost	\$0 each
Quantity	1
Lifespan	No Expiration
Funding Source	Personal Rifle



Manufacturer: Ruger

Manufacturer Description: A semi-automatic shoulder-fired rifle with precision optics that fires a .308 Winchester cartridge. The .308 rifle provides SWAT Snipers the ability to engage hostile suspects at great distances with accuracy. The .308 rifles are used exclusively by officers assigned to the SWAT Sniper Team. These rifles are typically deployed with the SWAT Sniper Team during high-risk SWAT operations and special events or instances wherein Sniper Over Watch Teams are needed.



**Colt M16A1 Rifle**

Cost	\$0 each
Quantity	15
Lifespan	No Expiration
Funding Source	1033/ LESO Program



Manufacturer: Colt

Manufacturer Description: Received from the military and converted to semi-automatic AR-15. (4) are currently in use in the Traffic Safety Unit. The traffic safety unit utilizes converted rifles to enhance the tactical capabilities when on their motorcycles to augment their service pistols when needed. (7) are in use by the Honor Guard for ceremonial display. Honor Guard members are sworn peace officers who have been specially chosen from all divisions of the department. Duties include providing funeral honors for officers who have been killed in the line of duty or other ceremonial duties as assigned. (4) are currently not in use.

The Department currently possesses the following rifle munitions:

Federal American Eagle 9MM Luger 147 GR Full Metal Jacket

Cost	\$183/ Case
Quantity	9.5 of 20 Cases
Lifespan	No Expiration
Funding Source	General Fund



Manufacturer: Federal

Manufacturer Description: This Federal American Eagle 9mm Luger ammunition is loaded with a 147-grain Full Metal Jacket bullet. The Full Metal Jacket bullet is for range practice and reducing fouling in the barrel. The jacket extends from the nose to the base, preventing bullet expansion and barrel leading. This ammunition is new production, non-corrosive, ammo, featuring brass cases, boxer primed, and is reloadable.



**Federal Gold Medal .223 55 Grain (GR) Rifle Round (Training)**

Cost	\$236/ Case
Quantity	15 of 150 Cases
Lifespan	No Expiration
Funding Source	General Fund



Manufacturer: Federal

Manufacturer Description: Federal 223 Remington ammo features a lead core 55 Grain Full Metal Jacket bullet that is nonmagnetic, non-corrosive boxer primer and new virgin brass casing that can be reloaded up to seven times for those high volume 223 ammo shooters that love to reload their 223 Remington ammunition. The Federal American Eagle 223BL ammo offers muzzle velocity of 3240 feet per second and muzzle energy of 1282 ft lbs.

Hornady 9MM Critical Duty 135 GR

Cost	\$290/ Case
Quantity	24 of 25 Cases
Lifespan	No Expiration
Funding Source	General Fund



Manufacturer: Hornady

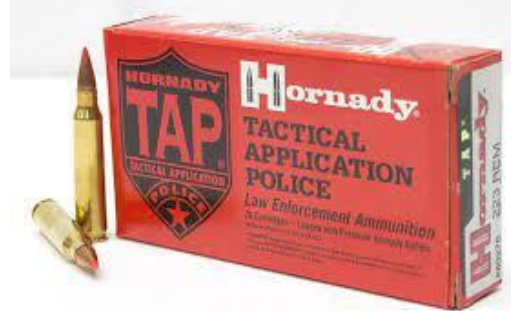
Manufacturer Description: This law enforcement cartridge offers match accuracy with a high ballistic coefficient providing superior long-range performance. The patented design eliminates clogging and aids in bullet expansion. A large mechanical jacket to core band works to keep the bullet and core from separating for maximum weight retention, excellent expansion, consistent penetration, and terminal performance through all FBI tactical handgun ammunition tests. The bright nickel-plated case simplifies chamber checks in reduced light and is loaded with low flash propellant to help preserve night vision in low light firing.





Hornady .223 55GR Tap Urban Rifle Round (Duty)

Cost	\$160/ Case
Quantity	45 of 300 Cases
Lifespan	No Expiration
Funding Source	General Fund



Manufacturer: Hornady

Manufacturer Description: Federal 223 Remington ammo features a lead core 55 Grain Full Metal Jacket bullet that is nonmagnetic, non-corrosive boxer primer and new virgin brass casing that can be reloaded up to seven times for those high volume 223 ammo shooters that love to reload their 223 Remington ammunition. The Federal American Eagle 223BL ammo offers a muzzle velocity of 3240 feet per second and muzzle energy of 1282 ft-lbs.

Hornady .308 Winchester A-Max Tap Rifle Round

Cost	\$250/ Case
Quantity	16 of 60 Cases
Lifespan	No Expiration
Funding Source	General Fund



Manufacturer: Hornady

Manufacturer Description: This law enforcement cartridge offers match accuracy with a high ballistic coefficient providing superior long-range performance. This load demonstrates expansion and fragmentation similar to the 110-gr. load, but with a noticeable increase in penetration and retained bullet weight. This bullet penetrates glass with minimal deflection and exhibits excellent expansion and fragmentation characteristics.





Chemical Agents and Smoke Canisters (Category 12)

Canisters containing non-lethal chemical agents and/or smoke that are released when deployed.

Capability: Chemical agent and smoke canisters have a variety of individual capabilities and applications. Chemical agent and smoke canisters carry the agent into the environment in a variety of methods, including but not limited to powder, a liquid mist, smoke, pyrotechnic devices, and vapor aerosols. Exposure to chemical agents normally causes no lasting effects. This equipment has indoor and outdoor capabilities and uses.

Usage: The use of chemical agents causes mucous membranes and exposed skin to become inflamed resulting in a burning sensation. It provides a temporary respiratory effect and induces discomfort on the skin. Smoke canisters are used to create a diversion or conceal the movement of a tactical team. Chemical agents and smoke canisters may be utilized during confrontations with violent or potentially violent suspects, as a less lethal option to assist with dispersing violent crowds, and/or for the arrest of suspects.

Training Requirements: Sworn members utilizing chemical agent canisters are certified by POST less lethal and chemical agent instructors. Sworn members are trained in the proper use of chemical agent canisters and smoke canisters, nomenclature, and documentation for the use of this equipment.





The Department currently possesses the following chemical agent and smoke canisters:

Defense Technology Flameless Tri-Chamber Safe-Smoke Canister #1033

Cost	\$40 each
Quantity	1 of 10
Lifespan	5 Years
Funding Source	General Fund



Manufacturer: Defense Technology

Manufacturer Description: The design of the Tri-Chamber Flameless Saf-Smoke allows for the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. Primary designed for indoor tactical situations will deliver about 20-25 seconds of burn time. Was designed for barricaded situations in mind to primarily detect and or dislodge a barricades subject. The purpose of the Tri-Chamber Flameless Saf-Smoke is to minimize the risk to all parties through pain compliance and or incapacitation of potentially violent or dangerous subjects.

Defense Technology Military Style Saf-Smoke Canister #1063

Cost	\$22 each
Quantity	11 of 15
Lifespan	5 Years
Funding Source	General Fund



Manufacturer: Defense Technology

Manufacturer Description: The Saf-Smoke canister was designed for training but may also be used in operations. The Saf-Smoke offers the same burn times as other smoke canisters making it an appropriate choice for training or simulation deployment of chemical agent canisters.



**Defense Technology Maximum HC Smoke Military Style Canister #1083**

Cost	\$30 each
Quantity	8 of 10
Lifespan	5 Years
Funding Source	General Fund



Manufacturer: Defense Technology

Manufacturer Description: The Maximum HC Smoke is designed specifically for outdoor use in criminal riotous situations with a high-volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. The smoke can be used to conceal tactical movement. The volume of smoke and agent is vast and obtrusive.

Defense Technology Han-Ball Grenade CN #1091

Cost	\$40 each
Quantity	5 of 5
Lifespan	5 Years
Funding Source	General Fund



Manufacturer: Defense Technology

Manufacturer Description: The Han-Ball Grenade is a launchable grenade and is a maximum effect device that delivers three stimuli for psychological and physiological effects: light, sound and CS. This grenade is a launchable and combines loud report and flash with effects of chemical agents making it suitable for riot control situations.



**Defense Technology Han-Ball Grenade CS #1092**

Cost	\$40 each
Quantity	50 of 50
Lifespan	5 Years
Funding Source	General Fund



Manufacturer: Defense Technology

Manufacturer Description: The Han-Ball Grenade is a launchable grenade and is a maximum effect device that delivers three stimuli for psychological and physiological effects: light, sound and CS. This grenade is a launchable and combines loud report and flash with effects of chemical agents making it suitable for riot control situations.

Defense Technology Flameless Expulsion Grenade Inert #2043

Cost	\$40 each
Quantity	3 of 3
Lifespan	5 Years
Funding Source	General Fund



Manufacturer: Defense Technology

Manufacturer Description: The Inert Flameless Expulsion Grenade is a training device that will allow team members to deploy the grenade without effecting roll players. This compact, non-pyrotechnic, inert powder device provides safe expulsion without risk of fire. Unlike pyrotechnical grenades, this device's contents are expelled upon actuation of a CO2 cartridge that will affect a confined area of approximately 1500 square feet.





Breaching Tools (Categories 7/9)

Tools that are used to gain entry into structures by defeating locks and/or fortifications. These tools include breaching shotguns and explosive breaching equipment.

Capability: A breaching shotgun can defeat lightly fortified or locked doors. Explosive breaching tools can defeat heavily fortified doors and structures. The listed breaching tools are utilized by SWAT operators and are capable of breaching glass, metal doors, wood doors, deadbolts, locks, and hinges.

Usage: Breaching (or forced entry) is used to rapidly access a locked or fortified room or structure to preserve life, affect and arrest, or to conduct a search when lawfully able to do so. Forced entry is strictly regulated and may only be done when legal parameters are met.

Training Requirements: Sworn members are trained in the proper use of the breaching shotgun. Explosive breacher(s) shall be licensed as a Blaster by Cal/OSHA. Explosive Breachers will attend an approved "Tactical Energetic Breaching" course.





The Department currently possesses the following explosive breaching tools:

Remington 870 Short Barrel Breaching Shotgun

Cost	\$810 each
Quantity	2
Lifespan	25 Years
Funding Source	General Fund



Manufacturer: Remington

Manufacturer Description: This weapon allows breachers to safely utilize shotgun breaching rounds in order to destroy deadbolts, locks, and hinges. The stand-off that is attached to the end of the barrel allows for positive placement of the gun into the correct position and vents gases to prevent overpressure.

Combined Tactical Systems 12 Gauge Breaching Munition #2570

Cost	\$7/ Box
Quantity	24 of 24 Boxes
Lifespan	No Expiration
Funding Source	General Fund



Manufacturer: Remington

Manufacturer Description: 12-gauge frangible slug to disrupt locking mechanisms and hinges, defeat and breach external and internal doors.



**Defense Technology TKO 12 Gauge Breaching Round #3105**

Cost	\$7/ Box
Quantity	3 of 3 Boxes
Lifespan	No Expiration
Funding Source	General Fund



Manufacturer: Defense Technology

Manufacturer Description: The 12-Gauge **TKO** Breaching Round is a 12-Gauge shell loaded with a compressed zinc slug, utilizing smokeless powder as a propellant. The TKOP is capable of defeating door lock mechanisms, doorknobs, hinges, deadbolts safety chains and pad locks on both wooden or hollow core doors. Upon impact the zinc slug disintegrates into a fine powder eliminating fragmentation.

Dyno Noble Inc. Primacord (UN0065)

Cost	\$2/ Foot
Quantity	3000 Feet
Lifespan	10 Years
Funding Source	General Fund



Manufacturer: Dyno Nobel Inc.

Manufacturer Description: PRIMACORD is a detonating cord that is a thin, flexible plastic tube usually filled with pentaerythritol tetranitrate (PETN, pentrite). With the PETN exploding at a rate of approximately 6400m/s, any common length of detonation cord appears to explode instantaneously. It is a highspeed fuse which explodes, rather than burns, and is suitable for detonating high explosives. Explosive entry is a non-lethal force option, but it should only be used when you can justify that spending any length of time in front of a door with a mechanical breach would be too dangerous for the officer conducting the breach or that mechanical breaching would fail on a reinforced objective.



**Nonel Lead Line (UN0349)**

Cost	\$1/ Foot
Quantity	5,000 Feet
Lifespan	10 Years
Funding Source	General Fund



Manufacturer: Dyno Nobel Inc.

Manufacturer Description: NONEL LEAD LINE provides maximum flexibility to the blaster in choosing a position of safety from which to initiate nonelectric blast rounds in either underground or surface applications. LEAD LINE propagates a low energy signal, similar to a dust explosion, at approximately 6500 ft/sec (2000 m/sec) along the tubes length with minimal disturbance to the outside of the tube.

Nonel Detonator Assembly Non-Elelctric (UN0361)

Cost	\$15/ each
Quantity	120
Lifespan	10 Years
Funding Source	General Fund



Manufacturer: Dyno Nobel Inc.

Manufacturer Description: A detonator assembly is a small sensitive primary explosive device generally used to detonate a larger, more powerful and less sensitive secondary explosive such as a plastic explosive. Detonator assemblies come in a variety of types, including non-electric caps, electric caps, and fuse caps.





Training Summary

The safe use of certain controlled equipment requires ongoing training to maintain proficiency and required certifications. While the department conducts most ongoing training internally through the Personnel and Training Division, external training courses and services are often also necessary. Training courses can vary each year depending on operational needs and State or Federal mandates. Consumable and non-consumable equipment are often used during training to ensure competency during actual operational use. Funding sources for training include the Police Department's operating budget and/or grants.

Training Costs

The personnel cost of training is absorbed into the Department's operating budget. The estimated cost for staff to attend externally hosted training for 2022 was approximately \$7,623.00.

The below table reflects the expended controlled equipment used during training in calendar year 2022.

Item	Used	Cost
Defense Technology Flameless Tri-Chamber Saf-Smoke Canister #1033	3	\$120
Defense Technology Military Style Saf-Smoke Canister #1063	1	\$22
Defense Technology Ferret Liquid Barricade Training Round Inert #1293	4	\$92
Defense Technology Ferret Powder Barricade CS #1292/2292	14	\$420
Federal American Eagle 9mm Luger, 147 Grain (Gr) FMJ	6 Cases	\$1,100
Hornady 9mm Luger 135 Grain Hollow Point	5 Cases	\$1,450
Federal .223 55gr Rifle Round	17 Cases	\$4,000
Hornady .223 55gr Rifle Round, Tap Urban	4 Cases	\$700
Hornady .308 Winchester 155gr Rifle Round, A-Max Tap	12 Cases	\$3,300
Combined Systems Inc. Super-Sock Beanbag Round #2581	140 Boxes	\$5,040
TOTAL:		\$16,244





Equipment Costs

The following table summarizes equipment related expenditures for calendar year 2022 and the projection of expenses in calendar year 2023. Equipment expenditures include the acquisition of new equipment, the replacement of damaged equipment, and the ongoing maintenance of the controlled equipment.

Equipment Type	Annual Maintenance (2022)	Projections (2023)
Unmanned Aircraft System	\$6,857.21	\$2,500
Robots	\$0	\$0
Armored Vehicles	\$1,231.64	\$2000
Mobile Incident Command	\$1,383.57	\$2,000
40 mm Less-Lethal Launchers	\$300	\$300
Less-Lethal Shotguns	\$1,750	\$1,750
Diversionsary Devices	\$0	\$1,320
Rifles	\$6,700	\$7,000
Chemical Agents and Smoke Canisters	\$0	\$0
Breaching Tools	\$0	\$0
TOTAL	18,222.42	\$16,870





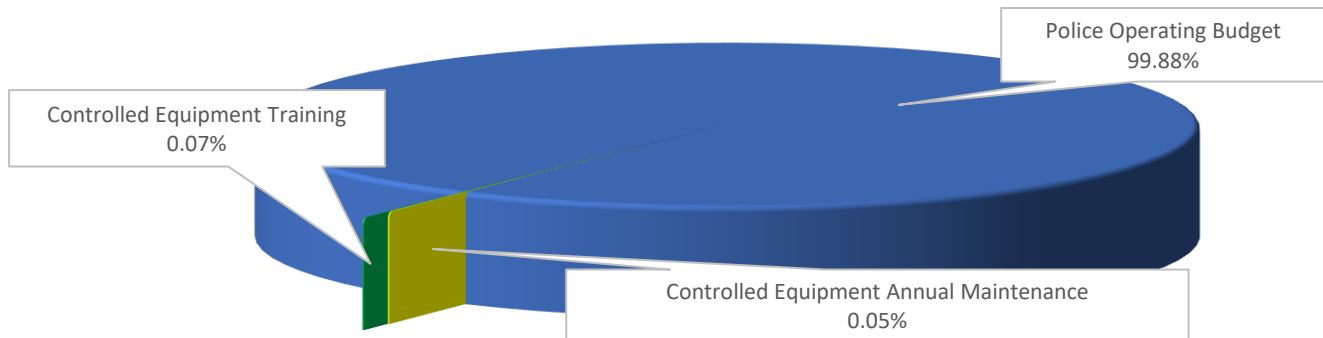
Fiscal Impact

The Milpitas Police Department is budgeted for 127 full-time employees which includes 93 full-time sworn officer positions and 34 non-sworn full-time professional staff positions. During Fiscal Year 2021/2022 the Police Department had an operating budget of \$35,666,904.

Although the City of Milpitas adopts its operating budget on a fiscal year basis (beginning July 1st) the cost of controlled equipment expenditures is reflected in this report for calendar year 2022 as required by Assembly Bill 481.

During 2022, the Milpitas Police Department spent approximately \$42,089.42 for controlled equipment and associated training. Some expenditures for controlled equipment were funded through State and/or Federal grants reducing the impact of acquiring, utilizing, maintaining, and training with controlled equipment to the Department's operating budget. Although a portion of these expenditures were paid for with grant funding, the total expenditures represent only 0.12% of the Police Department's operating budget.

Controlled Equipment Expenditures



■ Police Operating Budget ■ Controlled Equipment Annual Maintenance ■ Controlled Equipment Training





Projected Acquisitions for 2023

Although most acquisitions can be anticipated, the unanticipated replacement of existing controlled equipment may be necessary due to loss or damage. Replacement of these items will be handled on a case-by-case basis dependent on operational need, and in compliance with department policy for acquisition of controlled equipment.

Consumable Controlled Equipment

Consumable controlled equipment acquisitions for 2023 will remain consistent with current replenishment schedules and policies. Acquisitions will only restore quantities previously approved by the governing body.

Categories of consumable controlled equipment include:

- Ammunition – all calibers
- Chemical Agent and Smoke Canisters
- Specialty Munitions (40mm Munitions and Less Lethal Munitions)
- Diversionary Devices





Non-Consumable Controlled Equipment

Unmanned Aircraft Systems (UAS)

The Department is seeking to purchase a DJI Matrice 30 Series UAS. The UAS would enhance our service delivery capabilities and increase safety for our officers and the public. Our current UAS fleet cannot function during harsh weather events, whereas the DJI 30 Series UAS can. Funding for this purchase will come from a grant.

If grant funding is secured, the Department is seeking to purchase a DJI Plus remote control. The new remote will be an upgrade from the current controller in use and is weather-resistant than can be operated in inclement weather. The controller has a seven (7) inch screen and is ergonomically designed. The controller will also allow for extended range and a redundant fail-safe system to work with our current UAS.

If grant funding is secured, the Department is seeking to purchase a BRINC Lemur S UAS. The BRINC Lemur S UAS has unique capabilities that are advantageous during a tactical mission. The UAS can right itself if it collides with an object and can be used as an observation platform for up to 10-hours.

Manufacturer Name and Model	Category	Quantity	Cost
DJI Matrice 30 Series	1	1	\$30,000
DJI Plus Remote Control	N/A	1	\$1,500
BRINC Lemur S	1	1	\$30,000
TOTAL:			\$61,500

Lifespan:

All UAS equipment, 3-5 years

Fiscal Impact:

No annual maintenance costs are expected.

Training:

All Department UAS operators are licensed by the Federal Aviation Administration for UAS operation. In addition, each operator must attend on going department training.



**Breaching Tools**

The Department is seeking to purchase an AARDVARK KBT (Kinetic Breaching Tool). The KBT was purpose-built to fill the gap between manual forced entry and explosive breaching. The KBT employs the best of physics in the form of a self-contained impact ram with powder-actuated cartridges that go directly into a door or entryway. The device captures the force of the ram within the tool so there is no projectile or explosive energy leaves the device. The KBT is designed to increase operator safety by allowing operators to breach from behind a shield or to the side of the door.

The KBT operates by using .45 caliber blanks and an eight (8) round cylinder for multiple breaches. The KBT uses a hardened impact steel ram delivering 850-foot pounds of force to breach metal security screen doors and is capable of porting cinder block walls.

Funding for acquisition of the KBT and munitions will be from grant funding. Projected cost for the equipment is listed below:

Manufacturer Name and Model	Category	Quantity	Cost
AARDVARK KBT (Breaching Tool)	14	1	\$10,750
.45 Caliber Blank Rounds	14	200 @ \$2.97 each	\$595
TOTAL:			\$11,345

Lifespan:

Aardvark KBT – 10 or more years

.45 Caliber Blank Rounds – No Listed Expiration

Fiscal Impact:

Annual maintenance is approximately \$50.

Training:

Prior to use, officers must be trained in the proper use of the AARDVARK KBT by the manufacturer or by a department authorized trainer.



**Rifles and Accessories**

The Department is seeking to obtain Sionics Weapons Systems Short Barrel LE Rifles. The rifle features a 11.5" SIONICS premium barrel and 10.8" SIONICS handguard with an M-LOK 5-Slot rail piece. The Mil-Spec upper and lower receivers are forged from durable aluminum and assembled with an ambidextrous safety selector and Raptor Ambidextrous charging handle.

The Department is also seeking to obtain suppressors as an attachment to the entry rifles utilized by the Departments SWAT Team. The benefits of suppressors include noise reduction, reduced muzzle flash, reduced recoil, increased accuracy, and minimization of concussion impact. The suppressors are also capable of bringing rifle fire into approved OSHA standards.

Funding for acquisition of the Sionic Rifles and the suppressors will be from grant funding. Projected cost for the equipment is listed below:

Manufacturer Name and Model	Category	Quantity	Cost
Sionics Weapons Systems,(SBR) LE	9	8 @ \$1,099.95	\$8,799.60
Ti-Fighter 5.56mm Thread on Suppressor	9	15 @ \$1,195	\$17,925
TOTAL:			\$26,724.60

Lifespan:

Sionic Weapons System SBR LE – No Listed Expiration

Ti-Fighter Threaded Suppressor – No Listed Expiration

Fiscal Impact:

Annual maintenance is approximately \$50.

Training:

Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass a range qualification at least once a year.



**Precision Rifle**

The Department is seeking the addition of a Masterpiece Arms, Model PMR Pro .308 precision rifle (personally owned rifle, OAN: SRL328-1). The rifle is a semi-automatic shoulder-fired rifle with precision optics that fires a .308 cartridge. The rifle provides SWAT Snipers the ability to engage hostile suspects at great distances with accuracy. The .308 rifles are used exclusively by officers assigned to the SWAT Sniper Team. These rifles are typically deployed with the SWAT Sniper Team during high-risk SWAT operations and special events or instances wherein Sniper Over Watch Teams are needed.

Manufacturer Name and Model	Category	Quantity	Cost
Masterpiece Arms, Model PMR Pro .308 rifle	9	1	\$0
TOTAL:			\$0

Lifespan:

Masterpiece Arms, Model PMR Pro .308 precision rifle – No Listed Expiration

Fiscal Impact:

Personal weapons are maintained at owner's cost.

Training:

Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle, be a member of the SWAT team, and be assigned as a sniper.





Department Transparency

In some instances, the application and use of controlled equipment may prompt questions or cause concern for community members.

The Milpitas Police Department strives to provide transparency on police activities, department policies, agency practices, and the use of controlled equipment. Remaining accountable to our community builds trust, confidence, and enhances community relationships. Prior to Assembly Bill 481, the Milpitas Police Department regularly presented equipment purchases and policies to the Public Safety and Emergency Preparedness Commission and utilizes various community engagement events to introduce our community to select controlled equipment including our Unmanned Aircraft Systems, Armored Rescue Vehicle, Mobile Incident Command Vehicle, and specialized SWAT equipment. We continue to use community events to create public awareness, transparency, and education.





Controlled Equipment Coordinator Report

Although the Department remains transparent with our community, we may occasionally receive complaints about our policies, practices, and/or the use of controlled equipment. The Milpitas Police Department is committed to completing thorough and fair investigations of complaints. Resolving complaints in a fair, impartial, and expeditious manner helps maintain community trust and ensures the Milpitas Police Department will continue to provide superior service to our community.

The Milpitas Police Department has a designated Controlled Equipment Coordinator that is responsible for conducting controlled equipment inspections and audits to ensure compliance with Assembly Bill 481. The Controlled Equipment Coordinator is also the designated point of contact for receiving citizen complaints as well as tracking policy violations related to the use of controlled equipment.

Inventory

The Controlled Equipment Coordinator conducted an inventory check and identified controlled equipment that was not included in the inventory itemization reported on April 19, 2022. The inventory itemization in this report has been corrected to reflect the equipment not previously included.

Complaints

The Milpitas Police Department did not receive any citizen complaints about the use or possession of controlled equipment for calendar year 2022.

Policy Violations

The Milpitas Police Department did not identify any policy violations related to the deployment or use of controlled equipment for calendar year 2022.





Conclusion

The equipment, resources, and training outlined in this report allows the Milpitas Police Department to protect our community by enhancing public and officer safety. The use of controlled equipment aids us in resolving critical incidents safely and effectively. Although controlled equipment is utilized infrequently, it is crucial that the equipment be readily available in rapidly evolving and dynamic situations where such equipment can be used to effectively respond to threats of public safety.

When deciding how controlled equipment is funded, acquired, or used, the Milpitas Police Department considers the public's welfare, safety, and civil liberties. This annual controlled equipment report reaffirms the department's commitment to providing transparency and information to our communities and elected officials in addition to ensuring compliance with the law.

The department places high regard to meaningful public input in using controlled equipment in our community. Inquires, complaints or concerns can be submitted to the Milpitas Police Department's Controlled Equipment Coordinator via email at,

controledequipmentcoordinator@milpitas.gov

For more information, please visit the police department's website at,

<https://www.milpitas.gov/milpitas/departments/police>





Appendix

Definitions

1. Governing Body- The legislative body of the City of Milpitas.
2. Controlled Equipment- Includes items defined by California Government Code section 7070, subsections (c)(1) through (c)(16).
3. "Controlled Equipment Impact Statement" means a publicly released, written document that includes, at a minimum, all of the following:
 - (a) Description: A description of each type of Controlled Equipment, the quantity sought, its capabilities, expected lifespan, intended uses and effects, and how it works, including product descriptions from the manufacturer of the Controlled Equipment.
 - (b) Purpose: The purposes and reasons for which the Milpitas Police Department (hereinafter, "Police Department") proposes to use each type of Controlled Equipment.
 - (c) Fiscal Cost: The fiscal cost of each type of Controlled Equipment, including the initial costs of obtaining the equipment, the estimated or anticipated costs of each proposed use, the estimated or anticipated costs of potential adverse impacts, and the estimated or anticipated annual, ongoing costs of the equipment, including operating, training, transportation, storage, maintenance, and upgrade costs.
 - (d) Impact: An assessment specifically identifying any potential impacts that the use of Controlled Equipment might have on the welfare, safety, civil rights, and civil liberties of the public, and what specific affirmative measures will be implemented to safeguard the public from potential adverse impacts.
 - (e) Mitigations: Specific, affirmative technical and procedural measures that will be implemented to safeguard the public from such impacts.
 - (f) Alternatives: Alternative method or methods by which the Police Department can accomplish the purposes for which the Controlled Equipment is proposed to be used, the annual costs of alternative method or methods, and the potential impacts of alternative method or methods on the welfare, safety, civil rights, and civil liberties of the public.





Appendix

Policy - Controlled Equipment (Military Equipment)

708.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting of use requirements of controlled equipment, also defined as “military equipment” pursuant to Assembly Bill 481 (Government Code § 7070; Government Code § 7071; Government Code § 7072).

708.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that oversees the Department.

Controlled Equipment – Includes items defined in California Government Code section 7070, subsections (c)(1) through (c)(16); and any other item deemed to be controlled equipment by the governing body.

708.2 POLICY

It is the policy of the Milpitas Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to controlled equipment.

708.3 CONTROLLED EQUIPMENT COORDINATOR

The Chief of Police, or designee, shall act as the controlled equipment coordinator. The responsibilities of the controlled equipment coordinator include but are not limited to:

- (a) Acting as a liaison to the governing body to meet the requirements of this policy.
- (b) Identifying equipment currently owned or used by the Milpitas Police Department, and that equipment the Department intends to acquire or use, that qualifies as controlled equipment and ensuring compliance with legislative mandates.
- (c) Conducting an annual inventory of all controlled equipment.
- (d) Collaborating with any allied agency that may use controlled equipment within the City of Milpitas (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating an annual community engagement meeting to include:
 - 1. Publicly noticing the meeting no less than 30 days in advance.
 - 2. Preparing for public inquiries regarding the department’s funding, acquisition, and use of equipment.





- (f) Preparing the annual controlled equipment report for submission to the Chief of Police and ensuring that the report is made available to the public on the department website (Government Code § 7072).
- (g) Establishing a procedure for the public to register a complaint or concern, submit a question about the use of controlled equipment, and identify how the Department will respond.

708.4 CONTROLLED EQUIPMENT INVENTORY

A list of equipment currently held by the department or in coordination with another local agency is attached to this policy as Exhibit 1 and incorporated into this policy by reference. The inventory list will be updated each year as part of the annual report required pursuant to AB 481.

708.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the controlled equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed controlled equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the controlled equipment (Government Code § 7071). The controlled equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting controlled equipment from the Federal Government pursuant to 10 USC § 2576a (Ex: 1033 Program)
- (b) Seeking funds for controlled equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring controlled equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of controlled equipment within the jurisdiction of this department.
- (e) Using any new or existing controlled equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of controlled equipment.
- (g) Acquiring controlled equipment through any means not provided above.





708.6 EXIGENCY- PROCUREMENT AND USE

Nothing in this policy shall prohibit the procurement or use of controlled equipment when exigent circumstances exist. In rare circumstances, exigent circumstances may occur where the immediate procurement and use of controlled equipment may be necessary to preserve life, prevent physical harm to officers or other persons, prevent the destruction of relevant evidence, prevent the escape of the suspect, or maintain public safety. In the event such an event occurs, the Chief of Police or the authorized designee may authorize the procurement and use of controlled equipment. Any exigent procurement and/or use of controlled equipment will be reported to the governing body, in writing, unless such information is confidential or privileged under local, state, or federal law.

708.7 ANNUAL REPORT

Upon approval of a controlled equipment policy, the Chief of Police or their authorized designee shall submit a controlled equipment report to the governing body for each type of controlled equipment approved within one year of approval, and annually thereafter for as long as the controlled equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee shall also make each annual controlled equipment report publicly available on the department website for as long as the controlled equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of controlled equipment in department inventory.

708.8 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of controlled equipment.

708.9 MAINTENANCE AND RESUPPLY OF CONTROLLED EQUIPMENT

In the event a previously approved supply of controlled equipment falls below the approved quantity, the Department may replenish the supply, as needed, without first obtaining additional approval from the Governing Body.

